

### **REMARKS**

In the Office Action mailed December 2, 2008, claims 1-35 were rejected pursuant to 35 U.S.C. § 103(a), but only in view of the single reference U.S. Patent App. Pub. No. 2002/0057764 ("Salvucci"). Claims 35-49 and 75 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Salvucci in view of U.S. Patent App. Pub. No. 2002/0076003 ("Zellner"). Claims 50-63 and 77 were rejected as "obvious to one of ordinary skill in the art." Claims 64-74, 78-85 and 88-105 were rejected as "note the rejection above." Claim 76 was rejected as "well within the parameters of one of ordinary skill in the art given a fair reading of Salvucci and Zellner." Claims 86-87 were rejected as "note paragraph 0151 of Salvucci et al."

In view of the generality of the reference in the Office Action to rejection or rejections "noted above" and the Figures in general of Salvucci, Assignee respectfully requests specific examination on the features of each claim. "In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable." 37 C.F.R. § 1.104(c)(2) (emphasis added).

Various claim features are rejected as being "inherent." However, the rejection fails to provide a basis in fact and/or technical reasoning to reasonably support the determination of inherency. MPEP 2112(IV). Inherency cannot be established by probabilities or possibilities. Instead, the office action must establish why the allegedly inherent features are necessarily present in the cited references. Thus, the rejections do not meet the standard required for inherency and their withdrawal is respectfully requested.

Similarly, various claim features are rejected as being "obvious to one of ordinary skill in the art." However, the rejection fails to provide the required clear articulation of the reason(s) why the claimed invention would have been obvious. MPEP 2142. Obviousness cannot be established by a bald conclusion. Thus, the rejections do not meet the standard required for obviousness, and their withdrawal is respectfully requested.

The Assignee has responded below based on the Office Action as best understood. For purposes of expediting prosecution of this application, Assignee will

treat independent claims 67 and 76 as if they were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Salvucci in view of Zellner. Furthermore Assignee will treat independent claims 1, 15 and 97 and dependent claim 25 as if they were rejected under 35 U.S.C. § 102 in view of Salvucci because Salvucci was the only reference applied.

Assignee respectfully requests reconsideration of the rejections of pending claims 1-105, including independent claims 1, 15, 35, 49, 67, 76, and 97.

Claims 1 and 97 have been amended to include the features of claim 25. Claim 25 has been cancelled. Claim 35 has been amended to include the features of claims 91-94. Claims 49 and 72 have been amended for clarity.

Independent **claims 1 and 97** recite, *inter alia*, determining an incident coverage area around the incident location and initiating transmission of the incident alert to a subscriber entity within the incident coverage area of the incident location.

Salvucci does not teach or suggest determining an incident coverage area around the incident location and initiating transmission of the incident alert to a subscriber entity within the incident coverage area of the incident location. Instead, Salvucci discloses sending a "notify message" to "notify numbers" (§§ [0137]). These numbers are supplied to the system by a subscriber (§§ [0149], [0150]). Therefore, Salvucci merely notifies people based on numbers from a list supplied by a subscriber. Thus, Salvucci does not *determine* an incident coverage area around the incident location and initiate transmission of the incident alert to a subscriber entity within the incident coverage area of the incident location. As a result, Salvucci does not anticipate claims 1 or 97, and Assignee respectfully requests withdrawal of the rejections.

In contrast, the present specification discloses determining an incident coverage area around the incident location and initiating transmission of the incident alert to a subscriber entity within the incident coverage area of the incident location (§§ [077], [086]). The benefits of these features include assisting call centers to be more effective at rendering aid, disseminating information, and protecting citizens through law enforcement related activities (cf. § [006]).

Independent **claim 15** recites, *inter alia*, a dispatch program comprising instructions for analyzing the incident information to determine an incident location,

preparing an incident alert for transmission, and initiating transmission of the incident alert to a subscriber entity.

Salvucci does not teach or suggest initiating transmission of the incident alert to a subscriber entity. Instead, Salvucci discloses sending a “notify message” to “notify numbers” (§§ [0137]). These numbers are supplied to the system by a subscriber and are not themselves subscribers to the system (§§ [0149], [0150]). Therefore, Salvucci merely notifies people based on numbers from a list supplied by a subscriber. Thus, Salvucci does not teach or suggest initiating transmission of the incident alert to a *subscriber entity*. As a result, Salvucci does not anticipate claim 15, and Assignee respectfully requests withdrawal of the rejection.

In contrast, the present specification discloses initiating transmission of the incident alert to a subscriber entity (§§ [086], [074]). The benefits of these features include assisting call centers be more effective at rendering aid, disseminating information, and protecting citizens through law enforcement related activities (cf. § [006]).

Independent **claim 35** recites, *inter alia*, an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

Salvucci does not teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (§§ [0090], [0093], [0116], [0129]). None of these programs either apply an automatic update filter comprising match criteria to determine matching supplemental sensor media or associate the matching supplemental sensor media with an investigation report. Thus, Salvucci does not teach or suggest an *investigation program* comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

In contrast, the present specification discloses an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report (§ [0140]). The benefits of these features include providing a call center with significant enhancements to receiving, processing and communicating incident reports (§ [0130]).

Zellner also does not teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report. Instead, Zellner discloses real-time monitoring with a remote monitoring device (abstract). Zellner does not either apply an automatic update filter comprising match criteria to determine matching supplemental sensor media or associate the matching supplemental sensor media with an investigation report. Thus, Zellner does not teach or suggest an *investigation program* comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

Because neither Salvucci nor Zellner teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report, the combination of Salvucci and Zellner does not teach or suggest these features, assuming a rationale for combining Salvucci and Zellner exists.

Independent **claim 49** recites, *inter alia*, a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

Salvucci does not teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation

instruction based on the incidence occurrence time to a sensor near the incident location. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (¶¶ [0090], [0093], [0116], [0129]). None of these programs either analyze incident information to determine an incident location and an incidence occurrence time or initiate transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Thus, Salvucci does not teach or suggest a media *preservation* program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

In contrast, the present specification discloses a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location (¶¶ [0111], [0112]). The benefits of these features include preserving media that might otherwise be discarded, destroyed, overwritten, or otherwise lost (¶ [0111]).

Zellner also does not teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Instead, Zellner discloses "activating" a remote controlling functionality "to monitor the user's vicinity during the emergency" (¶ [0027]). Zellner does not either analyze the incident information to determine an incident location and an incidence occurrence time or initiate transmission of a media *preservation* instruction based on the incidence occurrence time to a sensor near the incident location. Thus, Zellner does not teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

Because neither Salvucci nor Zellner teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine

an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location, the combination of Salvucci and Zellner does not teach or suggest these features, assuming a rationale for combining Salvucci and Zellner exists.

Independent **claim 67** recites, *inter alia*, a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record.

Salvucci does not teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record. Instead, Salvucci discloses setting up a 3-way call to a network which terminates in a voice-recording device that records the call (§ [0117]). The Salvucci process does not accept incident characteristic information for the third party media from the network infrastructure interface or add the incident characteristic information to the media record.

In contrast, the present specification discloses a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record (§§ [044], [045]). The benefits of these features include compiling not only initial information concerning reported incidents, but also many different types of media over time that may help illustrate, explain, and understand the incident or the geographical area (§ [045]).

Zellner also does not teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record. Instead, Zellner discloses an emergency service provider remotely activating a monitoring device in a user's vicinity upon receiving an emergency help request from the user, and receiving information sent by the monitoring devices on a real-time basis to enable the service personnel to plan appropriate response to the emergency at hand (abstract). Zellner does not accept

incident *characteristic* information for the third party media, nor does Zellner add any incident characteristic information to a media record.

Because neither Salvucci nor Zellner teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record, the combination of Salvucci and Zellner does not teach or suggest these features, assuming a rationale for combining Salvucci and Zellner exists.

Independent **claim 76** recites, *inter alia*, an investigation program comprising instructions for accepting incident search parameters, initiating execution of an incident search in the media database based on the search parameters, displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search, displaying an investigation report interface, and accepting report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

Salvucci does not teach or suggest an investigation program. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (§§ [0090], [0093], [0116], [0129]). None of these programs are *investigation* programs, let alone an investigation program that accepts incident search parameters, initiates execution of an incident search in the media database based on the search parameters, displays a selection interface comprising media record indicia associated with matching media records returned from the incident search, displays an investigation report interface, or accepts report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

In contrast, the present specification discloses an investigation program (§ [0130]) comprising instructions for accepting incident search parameters (§ [0136]), initiating execution of an incident search in the media database based on the search parameters (§ [0137]), displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search (§ [0137]), displaying an investigation report interface (ref. no. 1608, FIG. 17), and

accepting report components for building an investigation report in the report interface (§ [0140]), the report components comprising at least a portion of the incident information and selected media records. The benefits of these features include providing significant enhancements to receiving, processing and communicating incident reports and providing searching and authoring capabilities (§ [0130]).

Zellner also does not teach or suggest an investigation program. Instead, Zellner discloses a system and method for remotely controlling one or more monitoring devices in a user's household in the event of emergency so as to more productively monitor the emergency situation on a real-time basis (abstract). Zellner's system and method are not *investigation* programs, let alone an investigation program that accepts incident search parameters, initiates execution of an incident search in the media database based on the search parameters, displays a selection interface comprising media record indicia associated with matching media records returned from the incident search, displays an investigation report interface, or accepts report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

Because neither Salvucci nor Zellner teach or suggest an investigation program, the combination of Salvucci and Zellner does not teach or suggest these features, assuming a rationale for combining Salvucci and Zellner exists.

**Dependent claims 2-14, 16-24, 26-34, 36-48, 50-66, 68-75, 77-96, and 98-105** each depend from one of the independent claims and are allowable for at least the same reasons as their respective base claim. Further features patentably distinguish the dependent claims from Salvucci, Zellner, and the Salvucci-Zellner combination, which are silent with regard to the features. Examples are given below.

**Claim 16** recites instructions for selecting the subscriber entity based on pre-determined incidents of interest to the subscriber entities. In contrast, Salvucci teaches notifying all the devices listed in a subscriber record (§ [0136]) without selection.

**Claim 17** recites selecting the subscriber entity based on incident proximity. For example, whether an incident alert is sent may depend on whether the incident



was close to home, school or work (specification ¶ [074]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claim 20** recites selecting the subscriber entity based on an incident party. For example, whether an incident alert is sent may depend on whether the parties are related (specification ¶ [074]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claim 29** recites the incident alert further comprising supplemental incident information associated with an additional incident proximate to the incident location. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claim 38** recites motion detectors near the incident location and that the sensor activation instruction is a motion capture activation instruction. With the ability to capture motion from motion detectors near the incident location, the system may complement its media database with additional relevant incident media in a directed and controlled manner (see, specification ¶ [091]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claims 43-46** recite initiating and receiving transmissions to sensors through an ad-hoc sensor network with intermediate nodes and a principal node in communication with the network infrastructure interface through which incident reports are received at the system. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claims 50-61** recite features concerning pre-incident and post-incident media retention specifiers. These specifiers give the call center the flexibility of determining from which time periods media may be preserved that would otherwise be discarded, destroyed, or otherwise lost (see, specification ¶ [0111]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claim 69** recites accepting network infrastructure interface inputs corresponding to the incident characteristic information menu that specify the incident characteristic information. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claim 85** recites a report database for storing the investigation report. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**Claims 91-94** recite features concerning automatic update report components. These claims recite an automatic update filter with match criteria that the tool can use to determine matching submitted media and associate matched

media with the received incident report, thereby automatically creating a robust report of the incident supported by the automatically matched media. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**CONCLUSION**

Assignee respectfully submits that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the Attorney for Assignee listed below.

Respectfully submitted,

Dated: March 24, 2009

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